

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Busch-Petersen, et al.

4 February 2008

Serial No.: 10/598,882

Group Art Unit No.: 1614

Filed: 14 September 2006

Examiner: F. Powers

For: M3 Muscarinic Acetylcholine Receptor Antagonists

TERMINAL DISCLAIMER

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Petitioner ("assignee") Glaxo Group Limited having its principal place of business at GlaxoWellcome House, Berkeley Avenue, Greenford, Middlesex, UB60NN, United Kingdom, represents that it is the assignee of the entire right, title and interest in and to the above-identified application, United States Serial No. 10/598,882, filed 15 September 2006, for "M3 MUSCARINIC ACETYLCHOLINE RECEPTOR ANTAGONISTS", in the name of Jakob BUSCH-PETERSEN, Anthony COOPER, Dramane LAINE, Michael PALOVICH, and Brent McCLELAND, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 08250, Frame 0045, on 14 September 2006. Assignee also represents that it is the assignee of record in United States Serial No. 10/552,482, filed 7 October 2005, now US Patent No. 7,232,841 B2 granted 19 June 2007, for "M3 MUSCARINIC ACETYLCHOLINE RECEPTOR ANTAGONISTS" in the name of Jakob BUSCH-PETERSEN, Dramane LAINE, Michael PALOVICH, and Brent McCLELAND as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 018999, Frame 0890 on 13 March 2007.

Petitioner, Glaxo Group Limited hereby disclaims, except as provided below, the terminal part of statutory term of any patent granted on the present application which would extend beyond the expiration date of the earlier of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173 and of the term as presently shortened by any terminal disclaimer US Patent No. 7,232,841 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for, and during such period that the legal title to said patent shall be the same as the legal title to US Patent No. 7,232,841. This agreement is to run with any patent granted on the above-identified application and shall be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration of the full statutory term defined

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in 35 USC §154, and of the term as presently shortened by any terminal disclaimer granted on US Patent No. 7,232,841 in the event that US Patent No. 7,232,841 is abandoned, expires for failure to pay a maintenance fee, is held unenforceable or is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, is reissued, or is otherwise not deemed to provide the rights conveyed by 35 USC §154, prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated above. This disclaimer shall not be effective against any patent term extensions obtained under 35 USC §156 for any patent granted on the above-identified application.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), please charge the required fee of \$110.00 to Deposit Account No. 19-2570. Please charge any additional fees under 37 C.F.R. §1.16 or §1.17 which may be required by this paper, or credit any overpayment to Deposit Account No. 19-2570. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

The undersigned is authorized to act on behalf of assignee Glaxo Group Limited.

Respectfully submitted,



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